

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

DONALD J. MURRAY; DOMINICK D'AMORE; LEE ADAMS; LINDA EDWARDS; LINDA MATTHEWS; LORETTA SHELLING; MARK SUTTER; JOSEPH ANNORINO; FRED BORDEN; WILLIAM DALE; CINDY ROBERT; DONALD CLARK; DIANE CRANDALL; FAY KIMBALL; ROBERT BRACE; WALT LEROY; DANIEL F. MACDONALD; and WILLIAM D. BARBEAU

vs.

CASE NUMBER: 5:07-CV-147 (GTS/GHL)

NINE MILE POINT NUCLEAR STATION, LLC; LOCAL UNION 97 OF THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS; CONSTELLATION GENERATION GROUP; CONSTELLATION ENERGY COMMODITIES GROUP, INC.; CONSTELLATION ENERGY CORP.; CONSTELLATION ENERGY GROUP, INC.; CONSTELLATION ENERGY PROJECTS & SERVICES GROUP, INC.; CONSTELLATION ENERGY SOURCE, INC.; XYZ CORP.; and NINE MILE POINT PENSION PLAN

Decision by Court. This action came to hearing before the Court.
The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That the Union Defendant's Motion for Summary Judgment is granted, that Plaintiffs' Cross Motion for Summary Judgment is denied, and that the Employer Defendants' Cross Motion for Summary Judgment is granted. Therefore Plaintiffs' Amended Complaint is Dismissed in its entirety.

All of the above pursuant to the order of the Honorable Judge Glenn T. Suddaby, dated the 30TH day of September, 2010.

DATED: September 30, 2010



Lawrence A. Baum
Clerk of Court

s/

Joanne Bleskoski
Deputy Clerk